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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,584	09/08/2003	Joerg Beringer	09282.0010-00000	1932
60668 7590 08/17/2009 SAP / FINNEGAN, HENDERSON LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER JAMI, HARES	
			ART UNIT 2162	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/658,584	Applicant(s) BERINGER ET AL.	
	Examiner HARES JAMI	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5-20,25,27,29-37 and 39-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3, 5-20, 25, 27, 29-37, and 39-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>05/20/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is in response to Request for Continued Examination (RCE) filed on 05/20/2009.

Claims 1, 3, 5-20, 25, 27, 29-37, and 39-45 are pending in this Office Action.

Claims 2 and 26 had been previously cancelled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/20/2009 has been entered.

Response to Amendment

In response to the final Office Action mailed on 01/21/2009, claims 1, 19, 25, and 31 have been amended, claims 4, 21-24, 28, and 38 have been cancelled, and new claims 39-45 have been added.

Applicant's arguments with respect to claims 1, 3-20, 25, and 27-38 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 12-13, 31, and 45 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The independent claims 1 and 25 recite "displaying statistics with the segments". Claims 12-13 and 31 recite "providing one or more descriptive statistics associated with segments". It is not clear that how "descriptive statistics" (which is not defined in the specification) is different from the statistics already associated with the segments, and how segments that are already associated with statistics again are associated with statistics.

Claim 45 recites the limitation "the facets" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3, 5-16, 18, 25, 27, 29-37, and 39-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vianello, US 7,424,438 B2 issued Sep. 9, 2008 in

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view of Coiera et al., US 2005/0086204 A1 published Apr. 21, 2005 (Coiera, hereafter) and further in view of Bourdoncle et al., US 2002/0086204 A1 published May 2, 2002 (Bourdoncle, hereafter).

Regarding claim 1,

Vianello discloses **a method comprising:**

creating a data source of resource profiles associated with a plurality of resources, each resource the resources being at least one of a plurality of resource types (See Vianello: Fig. 2, col. 14, line 25 et seq., col. 17, lines 33-44, col. 15, line 10 et seq., and col. 22, line 11 et seq., disclosing talent and employer profiles as resource profiles);

approving whether or not a user can edit the resource profiles; editing the resource profiles based on the approval (See Vianello: Fig. 3 and 8: authorizing a user to edit a profile when registers or signs in (i.e., approving) as talent or employer);

receiving, through a user interface, first attributes of a resource desired by a user ;searching the data source of resource profiles for profiles having one or more of the first attributes (See Vianello: Fig. 4, Fig. 10, Col. 26, line 9 et seq., and col. 2, line 35 et seq., disclosing search interfaces receiving search keywords or attributes from a user and searching talent and job databases);

providing a hit-list of resources having the one or more first attributes (See Vianello: Fig. 4, box 409 and Fig. 10, box 1008);

receiving second attributes of the resource through a refinement user interface; searching the hit-list for resources having the second attributes;

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providing a narrowed hit-list of resources having the first and second attributes

(Vianello discloses narrowing or refining the search results based on certain skills possessed by talents (i.e., second attributes), see at least col., 24, lines 34-37 and col. 43, lines 1-12);

storing the narrowed hit-list as a collection of resources which is used for further actions or stored as a persistent collection (See Vianello: Fig. 4, box 412 and Fig. 10, box 1010).

Vianello discloses all the limitations as stated above. Vianello further discloses searching resource profiles, refining, storing, and grouping the search results (See Vianello: Fig. 4, Fig. 10, and col. 43, lines 17 et seq.). However, Vianello does not explicitly disclose **receiving at least one selected resource type through the refinement user interface; providing a second narrowed hit-list of resources having the selected resource type from the narrowed hit-list; and storing the second narrowed hit-list as a second collection of resources which is used for further actions or stored as a persistent collection.** On the other hand, Bourdoncle discloses selecting a category (i.e., type) through the user interface to refine the search results and providing a narrowed search result having the particular category or type (See Bourdoncle: [0038], [0045], and [0068]). Bourdoncle and Vianello are from the same field of endeavor. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Vianello with Bourdoncle's teaching. A skilled artisan would have been motivated to incorporate the above teachings of Bourdoncle into the teachings of Vianello in order to receive at least

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one selected resource type through the refinement user interface; provide a second narrowed hit-list of resources having the selected resource type from the narrowed hit-list; and store the second narrowed hit-list as a second collection of resources which is used for further actions or stored as a persistent collection. The motivation for doing so would have been to allow a user to navigate in all hits of the type or category while maintaining the focus on his search and finding the most relevant hits.

The combination of Vianello in view of Bourdoncle discloses all the limitations as stated above. However, it does not explicitly teach **selecting a layout of the user interface from a plurality of layouts based on the first attributes, wherein the first and second attributes have dimensions, the method further comprising: creating segments of the hit-list by grouping the resources by one of the attribute dimensions and displaying statistics associated with the segments; receiving a selection of segments through the user interface; and providing a narrowed hit-list by selecting one or more resources from the selected segments.** On the other hand, Coiera discloses that a user can select the user interface layout such “simple search” or “advance search” user interface lay outs; creating different segments by grouping the search results into different categories (e.g., drug, education, textbook,...), and each segment is associated with hit numbers as statistics, and user can select one of the categories to get a narrowed hit result (See Coiera: Fig. 4-5, Fig. 9, Fig. 11, [0063]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the teachings of the combination of Vianello in view of Bourdoncle with Coiera’s teaching. A skilled artisan would have been

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motivated to incorporate the above teachings of Coiera into the teachings of the combination of Vianello in view of Bourdoncle in order to select a layout of the user interface from a plurality of layouts based on the first attributes, wherein the first and second attributes have dimensions, the method further comprising: creating segments of the hit-list by grouping the resources by one of the attribute dimensions and displaying statistics associated with the segments; receiving a selection of segments through the user interface; and providing a narrowed hit-list by selecting one or more resources from the selected segments. The motivation for doing so would have been to increase the utility of the search system and allow a user to select a user interface the way that fit his needs and categorize the search results to find the relevant hit faster.

Regarding claim 3,

the combination of Vianello, Bourdoncle, and Coiera discloses **displaying, in response to a user query, resources of the hit-list for user inspection; maintaining a list of resources displayed for inspection by the user** (See Vianello: Fig. 4 and Fig. 10 displaying and storing search results); **displaying a search history of search queries previously entered by a user, including a list of resources previously displayed; allowing the user to back-navigate to a search within the search history by displaying the corresponding hit-list; and displaying the list of inspected resources as the hit-list** (See Coiera: [0016] and [0061]-[0062] using saved search queries (i.e., history) allowing user to back-navigate the search the saved searches).

Regarding claim 5,

the combination of Vianello, Bourdoncle, and Coiera discloses **defining the resource profiles by facets, attributes, and descriptions of the sources of the attributes** (See Vianello: Fig. 2, col. 14, line 25 et seq., col. 15, line 10 et seq., and col. 22, line 11 et seq.).

Regarding claim 6,

the combination of Vianello, Bourdoncle, and Coiera discloses **generating a pattern-based user interface of a search tool from the resource profile** (See Coiera: [0004]-[0006]).

Regarding claim 7,

the combination of Vianello, Bourdoncle, and Coiera discloses **storing the narrowed hit-list as a collection of resources for using for further actions or storing as a persistent collection** (See Vianello: Fig. 4 and Fig. 10).

Regarding claim 8,

the combination of Vianello, Bourdoncle, and Coiera discloses **storing the collection of resources dynamically or statically** (See Vianello: Fig. 4 and Fig. 10).

Regarding claims 9 and 10,

the combination of Vianello, Bourdoncle, and Coiera discloses **aggregating the narrowed hit-list with an existing collection of resources, wherein the existing**

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collection of resources comprises an historical listing of aggregated narrowed hit-lists (See Vianello: Fig. 4 and Fig. 10 discloses storing of search results, therefore, every time a user save existing search results it would be added to the previous list).

Regarding claim 11,

the combination of Vianello, Bourdoncle, and Coiera discloses **creating segments of the narrowed hit-list by discrete values of an attribute dimension** (See Coiera: Fig. 9 and 12).

Regarding claim 12,

the combination of Vianello, Bourdoncle, and Coiera discloses **providing one or more descriptive statistics associated with the segments** (See Coiera: Fig. 9 and 12).

Regarding claim 13,

the combination of Vianello, Bourdoncle, and Coiera discloses **the hit-list is refined to resources associated with a particular descriptive statistic** (See Coiera: Fig. 9 and 12).

Regarding claim 14,

the combination of Vianello, Bourdoncle, and Coiera discloses **receiving attributes comprises receiving a search template from the user** (See Coiera: [0004]-[0006]).

Regarding claim 15,

the combination of Vianello, Bourdoncle, and Coiera discloses **the search template is defined by the user** (See Coiera: [0004]-[0006]).

Regarding claim 16,

the combination of Vianello, Bourdoncle, and Coiera discloses **the search template comprises a multi-resource query that returns resources of more than one resource type** (See Coiera: [0004]-[0006] and Fig. 9-11).

Regarding claim 18,

the combination of Vianello, Bourdoncle, and Coiera discloses **saving and re-using the search template can be saved and reused** (See Coiera: [0004]-[0006]).

Regarding claims 25, 27, and 29-36,

the scope of claims 25, 27, and 29-36 are substantially the same as claims 1, 3, 10, 5, 12, 6, 7, and 9-11, respectively. Therefore, claims 25, 27, and 29-36 are rejected on the same basis as set forth for the rejections of claims 1, 3, 10, 5, 12, 6, 7, and 9-11, respectively.

Regarding claim 37,

the combination of Vianello, Bourdoncle, and Coiera discloses **the narrowed hit-list is displayed based on the resource type** (See Bourdoncle: [0038], [0045], and [0068]).

Regarding claim 39,

the combination of Vianello, Bourdoncle, and Coiera discloses wherein the

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resource type is a person and the attributes include at least one of licenses received, papers published, languages spoken, demographic information, title in an organization, activities (See Vianello: Fig. 2, col. 14, line 25 et seq., disclosing the resource as talents which are persons having attributes such as address, language, licenses).

Regarding claim 40,

the combination of Vianello, Bourdoncle, and Coiera discloses **wherein a plurality of selected resource types are received through the refinement user interface** (See Bourdoncle: [0038], [0045], and [0068]).

Regarding claim 41,

the combination of Vianello, Bourdoncle, and Coiera discloses **combining the stored collection of resources with a third collection of resources to create a fourth collection of resources** (Vianello discloses saving the search results which are resources (e.g. talents), and every time a user save the search result it combines the new search results with the old results, Vianello: Fig. 4 and Fig. 10).

Regarding claim 42,

the combination of Vianello, Bourdoncle, and Coiera discloses **storing a narrowed collection of resources by selecting a subset of the narrowed hit-list** (See Vianello: Fig. 4 and Fig. 10).

Regarding claim 43,

the combination of Vianello, Bourdoncle, and Coiera discloses **storing a narrowed collection of resources by selecting a subset of the narrowed hit-list**

(See Vianello: Fig. 4 and Fig. 10, discloses saving the search results and Coiera discloses typing a name for storing the search, see Coiera: [0061]).

Regarding claim 44,

the combination of Vianello, Bourdoncle, and Coiera discloses **the narrowed hit-list includes heterogeneous resources** (See Coiera: Fig. 9 and Fig. 11).

Regarding claim 45,

the combination of Vianello, Bourdoncle, and Coiera discloses **wherein the facets include at least one of collaboration, qualification, interests, and activities** (See Vianello: Fig. 2, col. 14, line 25 et seq., col. 17, lines 33-44, for qualification and interests).

Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vianello, US 7,424,438 B2 in view of Coiera et al., US 2005/0086204 A1 published Apr. 21, 2005 further in view of Bourdoncle et al., US 2002/0086204 A1 and further in view of Nardoizzi et al., US 6,636,837 B1 issued Oct. 21, 2003 ('Nardoizzi', hereafter).

The combination of Vianello, Bourdoncle, and Coiera discloses teaches all the limitations as stated above. However, it does not explicitly teach that **the search template is auto-configured based on the resource type, attributes or facets**. On the other hand, Nardoizzi teaches the technique of allowing the automatic customizing of the screen for the user based on the past history or personal information of the user (see col. 7, lines 8-15, Nardoizzi). Nardoizzi and the combination of Vianello, Bourdoncle, and Coiera are from the same field of endeavor of displaying information. Therefore, it

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would have been obvious to one of ordinary skill in the art at the time invention was made having the teachings of Nardoizzi to further modify the combination of Vianello, Bourdoncle, and Coiera with Nardoizzi's teachings. A skilled artisan would have been motivated to incorporate the technique of allowing the automatic customizing of the screen for the user based on the past history or personal information of the user (see col. 7, lines 8-15, Nardoizzi) with search template of the combination of Vianello, Bourdoncle, and Coiera in order to auto-customized (i.e., auto-configured) the search template based on the resource type because it facilitates the searching based on the user preferences resulting in saving time for the user.

Claims 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vianello, US 7,424,438 B2 in view of Coiera et al., US 2005/0086204 A1 published Apr. 21, 2005 further in view of Bourdoncle et al., US 2002/0086204 A1 and further in view of Jenkins, US 7,392,254 B1 issued June 24, 2008.

Regarding claim 19,

The combination of Vianello, Bourdoncle, and Coiera discloses teaches all the limitations as stated above. However, it does not explicitly teach that **using the hit-list to create a community, the community only including user sharing the first attributes**. On the other hand, Jenkins discloses creating a group of users (i.e., community) using the search results sharing the same keywords (See Jenkins: col. 9, lines 1-19). Therefore, it would have been obvious to one of ordinary skill in the art at the time invention was made to further modify the combination of Vianello, Bourdoncle,

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and Coiera with Jenkins's teachings. A skilled artisan would have been motivated to incorporate the above teachings of Jenkins the combination of Vianello, Bourdoncle, and Coiera in order to create a community using the hit-list, the community only including user sharing the first attributes. The motivation for doing so would have been to help users involved in common interests achieve their goals by collaborating and using each other knowledge.

Regarding claims 20,

the combination of Vianello, Bourdoncle, Coiera, and Jenkins discloses **providing contact information in response to a user query to enable communication with resources in the community** (See Jenkins: col. 9, lines 48-63)..

Response to Arguments

Applicants' arguments with respect to claims 1, 3-20, 25, and 27-38 have been considered but are moot in view of the new ground(s) of rejection **in view of Vianello, US 7,424,438 B2, Coiera et al., US 2005/0086204 A1, and Bourdoncle et al., US 2002/0086204 A1.**

Points of Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HARES JAMI whose telephone number is (571)270-1291. The examiner can normally be reached on Mon to Fri 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 571-272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hares Jami
Examiner
Art Unit 2162

HJ

/John Breene/
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